

IN THE UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF GEORGIA  
COLUMBUS DIVISION

FRED J. VESSELL  
on behalf of himself and all others  
similarly situated,

Plaintiffs,

v.

MEDICAL TRANSPORTERS OF  
GEORGIA, INC., MEDICAL  
TRANSPORT OF ALABAMA, LLC  
and JANICE WARHURST

Defendants.

Civil Action File No.:  
4:17-cv-00179-CDL

**JOINT MOTION FOR APPROVAL OF SETTLEMENT OF PLAINTIFF'S  
CLAIMS UNDER THE FAIR LABOR STANDARDS ACT**

Plaintiff Fred J. Vessell, ("Plaintiff" or "Vessell") and Defendants Medical Transporters of Georgia, Inc., Medical Transport of Alabama, LLC, and Janice Warhurst (hereinafter collectively "Defendants") hereby jointly move this Court to approve the settlement of the lawsuit brought by Plaintiff under the Fair Labor Standards Act ("FLSA"), 29 U.S.C. § 201 *et seq.* See *Lynn's Food Stores, Inc. v. United States*, 679 F.2d 1350, 1352-55 (11<sup>th</sup> Cir. 1982) (U.S. Department of Labor or Court approval of FLSA Settlement required).

A copy of the executed Settlement Agreement and Release in this matter is concurrently being provided to the Court by sending a copy of same, via email, to

Elizabeth\_Long@gamd.uscourts.gov. That Agreement provides that Plaintiff Vessell has agreed to dismiss with prejudice his FLSA overtime claim against Defendants, Civil Action No. 4:17-cv-00179-CDL.

The Parties and counsel represent that the terms of the settlement for which they seek the Court's approval are as follows:

1. Plaintiff Vessell agrees to dismiss with prejudice his action brought under the FLSA alleging that Defendants failed to properly pay him and others similarly situated overtime for certain hours of work;

2. As consideration for Vessell's agreement to settle the FLSA claim, as well as the other terms contained in the agreement, Defendants have agreed to pay Vessell a sum certain (a total of \$9,250 inclusive of attorney's fees and costs) as set forth in the Settlement Agreement;<sup>1</sup>

3. All Parties in this action are represented by experienced legal counsel who believe that the settlement represents a fair and reasonable compromise of the disputed legal and factual issues in the case. Accordingly, the parties respectfully ask the Court to approve the settlement of this action for the terms set forth above following a review of the facts in this matter<sup>2</sup>.

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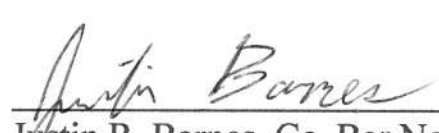
<sup>1</sup> A copy of the Settlement Agreement is being filed under seal concurrently herewith.

<sup>2</sup> A Proposed Order is attached hereto as "Exhibit 1."

Respectfully submitted this 27th day of October, 2017.

  
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